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TESTIMONY OF LAWRENCE A. UZZELL ON THE U.S. STATE DEPARTMENT'S
2005 REPORT ON INTERNATIONAL RELIGIOUS FREEDOM

(Prepared for delivery on November 15, 2005, to the Subcommittee on Africa, Global Human Rights and International Operations, Committee on International Relations, U.S. House of Representatives)

In commenting on the latest State Department report on religious freedom, I find that I cannot improve on what I was told two years ago by Thomas Farr, formerly the senior career official in the office in charge of producing that report. He said that “so far, at best we have merely laid the tracks for something that still needs to move up to another level.” Unfortunately that is still true.

These annual reports should be improving with each passing year as State gains more experience in producing them. In some ways they are: For example, coverage of Russia’s crucial Muslim minority is better today than it was in 1999, though still in need of improvement. But in too many other areas State is essentially coasting. All too often its sections on individual countries simply repeat the same language from one year to the next, falling back on standard formulas rather than providing new insights into the changing dynamics of repression. Sometimes they even repeat factual errors.

Today I would like to focus on two fundamental flaws. My specific examples of these flaws will come mostly from the report’s section on Russia, but I would like to add my voice to those who have criticized the sections on Uzbekistan and Turkmenistan. I have with me some excellent analyses from the Forum 18 News Service; let me request that these texts be added to the written record of this hearing. Like others, I find it utterly incomprehensible that the State Department has not formally designated Uzbekistan and Turkmenistan as “countries of particular concern” for their gross violations of religious freedom.

The first flaw is that the State Department report still places too much emphasis on cataloguing facts—individual cases of repression—and too little emphasis on analyzing the causes, trends and overall patterns behind those facts. All too often it lists the individual trees but misses the forest.

Second, this year’s report like those of previous years flunks what ought to be a basic test of U.S. diplomatic efforts in this area: Is the U.S. government truly working for religious freedom for all believers, or is it working primarily to help denominations with large

numbers of members in the United States? Is Washington promoting equal rights for all religions, including indigenous religions, or is it just clearing the path for American missionaries?

Let me discuss that second flaw first. I concede that it is difficult to meet my suggested test; good intentions are not enough. Imagine yourself as a human-rights officer in the U.S. Embassy in Moscow: You are bombarded with information from groups such as the Mormons and the Jehovah's Witnesses, which are highly skilled in media and government relations. These groups know how to present their material so as to earn your confidence and make it as easy as possible for you to do your job. They are often much easier to study than purely indigenous Russian religions such as the Old Believers or the "initsiativniki" Baptists; to the indigenous minority faiths the very concept of a western-style press release may still be something of a novelty. The indigenous minorities may not be especially interested in building relations with their own government, much less with foreign governments. They also may not be interested in dialogue with other religions; essentially they may just want to be left alone.

Thus it is all too easy for U.S. diplomats to fall into the trap of paying too little attention to indigenous minorities, even if those minorities may be suffering harsher repression than American missions and missionaries. The result of such disproportion is to play into the hands of ultra-nationalists in Russia and elsewhere who claim that America's professed interest in religious freedom is simply a cloak for cultural and political imperialism. Too many Russians dismiss America's efforts for religious freedom because America seems to dismiss Russia's religions.

Let me stress that I do *not* think that U.S.-based religious bodies are getting too much attention from Washington. If I were writing the State Department report I would not omit a single one of its references to the Mormons or Jehovah's Witnesses. The problem is that the report gives too *little* attention to other groups.

Consider Russia's unregistered Baptists, the so-called "initsiativniki." The State Department is slowly making progress in its coverage of this denomination, but it still has a long way to go. Last week I spoke with Andrew Okhotin, a Russian-American divinity student who testified on behalf of the "initsiativniki" at a hearing of the U.S. Helsinki Commission here on Capitol Hill in April. That hearing was something of a breakthrough in getting Washington to focus on the "initsiativniki." It led to introduction of a congressional resolution on unregistered religious bodies in Russia, and in my opinion the mere existence of this resolution—even just as a proposal—has already made a difference. I believe that the resolution was the key element in pushing the Russian authorities to back off in their harassment of two initsiativniki congregations in Tula and Lyubuchany. I found during my visit to Russia last month that the authorities have now given the Baptists in Lyubuchany formal permission to rebuild their house church. These are the very same authorities who mounted a massive police raid against the Lyubuchany congregation in the summer of 2004; the same authorities who are suspected of being behind the mysterious arson attack that destroyed the Lyubuchany house church in September 2004; the same authorities who then threatened legal action against the

Baptists merely for trying to rebuild their own property. Obviously this is a major change of course. As in previous cases, members of the U.S. Congress have been able to help endangered religious believers just by publicly talking about them.

Let me emphasize, however, that this was a breakthrough launched not by the State Department but by members of Congress. I learned last week that to this date State has still not sought a briefing from Mr. Okhotin, the star witness at last April's congressional hearing, on the unregistered Baptists' problems with Russian officials. To its credit, this year's State report discusses the arson attacks on the house churches in Tula and Lyubuchany. But the report's section on Russia makes no specific references to the unregistered Baptists other than to these two extreme events. Short of such gross atrocities, the initsiativniki often experience harassment by the police when they try to hold open-air revival meetings or to distribute religious publications on the street. For example, in June the police detained initsiativniki evangelists in the town of Spas-Klepiki in the province of Ryazan, simply because these evangelists were exercising what ought to be their constitutionally protected right to proclaim their faith in public. This year's report has about twice as many references to the Mormons as to the unregistered Baptists, even though the latter are far more numerous in Russia and are clearly suffering harsher repression. As in previous years, the effect is to create the impression that the United States government is primarily interested in protecting American religious bodies that have strong constituencies in our own country, and less interested in protecting indigenous Russian religious minorities.

Even more inadequate is the State Department's coverage of the various Orthodox Christian bodies that are independent from the mainstream Moscow Patriarchate. These groups are extremely vulnerable for two reasons. First, the country's largest and most powerful religion has special reason to target them since they are direct competitors for that religion's core constituency. Second, they have few adherents in the United States and no visible presence here in Washington. Sadly, State's coverage of them in this year's report is limited to a single generalized sentence, virtually an exact repetition of a sentence in last year's report with no new information or analysis. The report does not mention any specific cases such as one in Stavropol province reported in February by the Forum 18 News Service: Local police accompanied by clergy of the Moscow Patriarchate forced their way into a residence used as a place of worship by the breakaway Orthodox Rossiskaya Church. A bishop of this alternative Orthodox group was detained for three hours at a police station, and the Moscow Patriarchate clergy pressured him to submit to the authority of their own bishop.

A similar example, this one from the report's Turkmenistan section, is the insufficient coverage of the Armenian Apostolic Church. Armenians constitute one of the largest, long-standing Christian minorities in Turkmenistan, where they were free to organize formal church life before 1917. The Armenian Church is now legally registered in adjacent Uzbekistan, but not in Turkmenistan despite its deep historical roots there. State mentions that it is not registered but fails to provide the historical context showing what a particularly gross abuse this is; by contrast its report goes into great detail (as it should) about persecution of Protestants and Jehovah's Witnesses.

State is also still inadequate in its coverage of the Old Believers. This year's report mentions two disputes over the return of Old Believer church buildings confiscated by the Bolsheviks, but it fails to mention another, crucial property issue that is peculiar to the Old Believers. This issue was the main cause of the Old Believers' decision to oppose Russia's controversial 1997 law on religion: the government's connivance with the Moscow Patriarchate in stealing Old Believer valuables such as icons and bells. On Red Square, for example, the Moscow Patriarchate's newly restored Kazan Cathedral houses a magnificent bell commissioned a century ago by a wealthy Old Believer merchant. The Soviet regime seized that bell from Moscow's largest Old Believer church and kept it in storage for decades; the post-Soviet state then transferred it to the mainstream Moscow Patriarchate, which thus became a willing recipient of stolen property. The Moscow Patriarchate not only refuses to return such items to their rightful owners, but has successfully lobbied against efforts by the Old Believers to amend the law so as to bar such thievery.

By failing to champion the cause of the Old Believers, the State Department is missing a golden opportunity to show that Washington is committed to religious freedom for tradition-minded Russians, not just for the "foreign sects" demonized by Russian ultra-nationalists. The Old Believer faith is the most uniquely Russian form of Christianity: To this day it exists only in Slavic countries or in places where it was brought by Slavic emigrants. Intentionally or not, State's neglect of the Old Believers and the alternative Orthodox reinforces the ultra-nationalists' accusation that Americans are interested only in helping religions alien to Russia, religions newly imported by western missionaries.

This flaw is reinforced by the other flaw that I mentioned earlier: too little analysis as distinct from mere recitation of facts. One example of this is the report's failure to link the repression of the *initsiativniki* Baptists and the alternative Orthodox to certain specific provisions of the 1997 law. The report discusses the law's invidious distinction between so-called "religious organizations" and "religious groups," but makes it seem that this is a problem only for brand-new religions such as the Hare Krishnas. In fact, the law is cleverly written in such a way as to disfavor religious confessions which have been present in Russia since the 19th century or before, but which refused to collaborate with the Soviet regime. The 1997 law has created a systematic presumption against religious believers such as the *initsiativniki* and the True Orthodox, who managed to function underground during the Soviet era but were not formally recognized by the Soviet state. In effect the Yeltsin and Putin administrations have retroactively legitimized and partially restored Soviet standards of church-state relations—the standards of an explicitly anti-religious, totalitarian state. The Kremlin's willingness to repudiate such standards should be a key test of its commitment to making the transition from tyranny to freedom. Unfortunately, the State Department continues to fail to frame that issue clearly.

The report's discussion of Russia's Muslims also suffers from this lack of in-depth analysis. The list of specific rights violations is welcome, but State needs to go beyond that to probe underlying causes. A crucial point is that the Kremlin's deep-rooted penchant for centralized control makes it unwilling to accept the reality that Islam is one

of the most non-hierarchical of all world religions. Moscow has continued the Soviet practice of artificially elevating the country's "Muslim spiritual directorates," originally created in the 18th century as tools of control for the czarist state. These bureaucratic structures have no historic or spiritual legitimacy in Islam, and the Kremlin's use of them to promote its own puppet muftis makes it far harder for Russia's Muslims to produce legitimate leaders who would be in a far stronger position to combat extremism and terrorism.

More generally, both the Russian and the Central Asian sections of the report give too much weight to the question of formal registration: They encourage the false assumption that if a religious body can get legally registered, its problems are over. But human-rights monitors have found many cases where congregations have all their formal documents in order but still experience repression. When I visited Russia last month the head of the registered Baptists told me that in the city Moscow alone some 10 congregations had had to go out of existence because they were barred from renting places in which to worship.

I also mentioned earlier the problem of factual errors. In any report of this magnitude some errors are inevitable; the more initiative State takes in exploring new subjects, the more factual errors it will probably make. But when errors are repeated from one year to the next they undermine the report's credibility. For example, both last year and this year the report mistakenly calls the Roman Catholic church in Magadan a "cathedral" when in fact the Catholic cathedral for eastern Siberia is in Irkutsk. Both last year and this year the report states that "the 1997 law ostensibly targets so-called 'totalitarian sects' or dangerous religious 'cults'." Actually, neither of those terms is specifically used in the law.

One last point: I was glad to see that the report's section on Russia has almost completely stopped using the invidious term "proselytism"; I wish I could say the same about the rest of this year's report. The word "proselytism," with its connotation of sectarian fanaticism, is almost never applied to adherents of secular belief systems such as feminism or environmentalism; it is taken for granted that disciples of these movements should be free to pursue converts all over the world, even in cultures where their beliefs are profoundly alien. If we are truly committed to the principle that religious believers have the same free-speech rights as non-believers, we should avoid the all too common practice of selectively using the unsavory label of "proselytism" to discredit religious speech. No matter how much one may dislike religious missionaries in either substance or style, they have every right to preach their message. The State Department's choice of words should reflect that bedrock principle.